

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

h. Lessing et al.

Confirmation No. 4807

Serial No: 10/571,612

Group Art Unit: 1745

Filed: March 10, 2006

Examiner: not yet assigned

For: FUEL CELL AND FUEL CELL MODULE THERFOR

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

**COMMUNICATION and SUBMISSION OF
DECLARATION DOCUMENT**

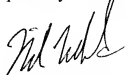
Sir:

Applicant respectfully submits an executed declaration for the above-identified patent application. It has come to the applicants' attention that a Notice of Acceptance was issued for this application on September 21, 2006 (copy attached). Please note an executed declaration was not filed with the filing of the application. Therefore, applicants respectfully submit the attached executed Declaration.

It is noted that the \$130.00 surcharge for filing the declaration after the 30-month national date was paid upon filing of the application on March 10, 2006.

Therefore, it is deemed that no fees should be required for filing the declaration at this time. If it is decided that any fee is required for filing the declaration, the Patent Office is hereby authorized to charge the attorney's Deposit Account No. 50-2041 and asked to notify us accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Whitham", written in a cursive style.

Michael E. Whitham
Reg. No.: 32,635

Whitham, Curtis, Christofferson & Cook, PC
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
703-787-9400

Customer number 30743